

Bureau of Mining Regulation and Reclamation

POLICY AND PROCEDURES FOR WATER POLLUTION CONTROL PERMITS

The Bureau of Mining Regulation and Reclamation (BMRR) issues water pollution control permits for mining operations, in accordance with NAC 445A.350 through 445A.447. To obtain a permit a completed Mining Water Pollution Control Permit Application, which provides legal and descriptive information on the proposed project, and an application fee per NAC 445A.232 must be submitted to the BMRR.

Permit applications are assigned by the Regulation Branch Supervisor to the Permit Writers for review and processing. The major steps and timeframes of the application review process are described in the guidance document “Time Allowed for Review of Water Pollution Control Permit Applications and Modifications”.

Within 30 days of receipt of the application, an administrative review is performed to determine whether the application contains the necessary information, using the check list “Application Requirements for Mining Operations”. When the application is administratively complete, a technical review is performed to determine whether the proposed facility is in compliance with the regulations. A period of 90 days is allowed for the technical review. The review timeframes do not include any time necessary to obtain required information lacking in the permit application.

Upon completion of the administrative and technical reviews, a draft permit and fact sheet are prepared. The BMRR has the option to propose permit issuance or denial. A notice of proposed action is published in a newspaper in the geographic area of the proposed facility and is also sent to interested parties on the BMRR mailing list. The mailing list is comprised of agencies, tribes, groups, companies, and individuals who may be affected by or interested in the proposed action. Interested members of the public may request a hearing on the proposed action. Comments received during the 30-day public comment period and at the public hearing, if required, are addressed in the notice of decision that is issued with the permit if appropriate. Within 10 days following the notice of decision being issued, interested parties may request a hearing with the State Environmental Commission (SEC). The Bureau decision may be appealed by the SEC.

The permit is valid for a maximum of five years and is renewable in five year increments. A valid permit must be maintained through the life of the facility. Once permanent closure is complete, the facility may be covered by a post-closure Water Pollution Control Permit that delineates required post-closure monitoring for the closed facility.

The permit application documents and associated files are maintained in the Bureau offices and are available for public review. Documents in the files include permits, correspondence, technical information, monitoring reports, inspection reports, spill reports and enforcement records.